

ORIGINAL

To: The Honorable Joseph J. Farnan
U.S. District Court for
the District of Delaware
844 King Street Lock Box 27
Wilmington, DE 19801

October 9, 2005

RE: Carter v. Taylor et, al
99-757-JJF



Dear Judge Farnan:

You recently set a date of December 1, 2005 for Pre-Trial Conference in the above cited case. I as a pro., se litigant have with all diligence attempted to obtain information and or documentation that would be of substantial benefit to the presentation of my case. I have however found little compasion from state personnel. As I stated in my original complaint, a May 1999 News Paper article quoted a Superior Court Administrator named Thomas J. Ralston as saying, "It gets to the point where the clerk at D.C.C. and the clerk at Ganderhill can look at the same order and come up with different release dates".

I'm sure that Your Honor will agree that a clear duty existed for the Superior Court to inform the Department of Corrections of it's concerns, and to do nothing was unethical. Based on my confidence in the Superior Court doing the right thing, I wrote to the Courts Administrator, and the Deputy Prothonotary certified letters requesting any proof of any such action taken as to this issue. Neither has responded. Due to my desire to be prepared fully on December 1st, I now respectfully make this request, which is that Your Honor request production of any documentation that relates to problems in calculation of sentences during the relivant time periode of 1998 thru 1999.

I the Plaintiff believes that by Your Honor making the request it will be honored, and that my there being done an in camera inspection the Defendants can not once again raise the claim of privilege. The Plaintiff is agreeable to a order being prepared establishing that information was provided to the Department of Corrections, and the identity of those contacted. It would also seem logical that a similar request be presented to Commissioner Taylor.

Plaintiff also contacted by certified mail Davi Mozie Director of Adult Offender Program of Delaware Center for Justice. The request to her was that I be provided with a copy of the original grievance I filed pertaining to miscalculation of my sentence. I further requested any information establishing the compliance of the Department of Corrections as to their own Administrative Remedies. A phone call from Ms. Mozie informed me that eventhough a member of the Center had been monitoring the hearing she was not sure if information concerning each grievance was retained back then. Further she was reluctant to provide any definate trends as to compliance, however she did in fact state that at this present time DCC was on probation for its violation of the minimum standards.

Your Honor for whatever you decide that my request can not be honored I request that you at least consider granting me a request for four Subpoena duces tecum naming those I have identified herein. I thank you for your time and patiance.

Respectfully submitted



Sherman A. Carter pro.,se

xc: DAG. Stuart B. Drowos

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WILMINGTON



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1999-0027

